

DISTRICT OF COLUMBIA)
CITY OF WASHINGTON) ss

AFFIDAVIT

I, Herbert M. Hart, Commander, U.S. Naval Reserve, 56135, being first duly sworn according to law do depose and say:

That I am on active duty with the Judge Advocate General of the Navy, Navy Department, Washington, D.C.

That I am Liaison Officer between the National War Crimes Office, Washington, D.C., and the various bureaus of the Navy Department, including the Bureau of Ships and the Bureau of Naval operations, the latter of which includes the Office of Naval Intelligence. In my official capacity as such Liaison Officer I was requested by the International Prosecution Section of the International Military Tribunal for the Far East, General Headquarters, Supreme Commander for the Allied Powers, Tokyo, Japan, to examine certain documents heretofore admitted in evidence in the International Military Tribunal for the Far East, as well as other documents hereinafter mentioned, and to obtain from the U.S. Navy official information regarding matters mentioned in all such documents. In compliance with said request, I consulted with various officials in the U.S. Navy Department and worked with Mr. Albert B. Ray, Production Analyst in Charge of the Ships Statistics Section of the Bureau of Ships, Navy Department, Washington, D.C., in the preparation of certain documents referred to herein below as Table A, Table B and Table C.

In my official capacity I examined two documents, previously prepared by the said Mr. Ray, one of which documents, dated 23 January 1947, was introduced as Defense Document No. 1596 and admitted in evidence as Court Exhibit #3001. The other document, dated 3 April 1947, was introduced as Defense Document No. 1597 and admitted in evidence as Court Exhibit #3002. I am thoroughly familiar with the definitions of the terms used by the United States Navy and referred to in said Exhibits 3001 and 3002.

I examined also the document introduced as Defense Document #1572, admitted in evidence as Exhibit #3003-A, entitled "Comparative Table of Naval Vessels On Hand Between the U.S.A. and Japan as of December 7, 1941". I also

examined the document introduced as Defense Document #1573, admitted in evidence as Exhibit #3003-B, entitled "Comparative Table of Vessels Under Construction Between the U.S.A. and Japan as of December 7, 1941". I examined also the affidavit of Hidemi YOSHIDA, dated 15 August 1947, introduced as Defense Document #2085, and admitted in evidence as Exhibit #3003. I examined also the Transcript of the Record, International Military Tribunal for the Far East, pages 26,610 to 26,650, dated 22 and 25 August 1947.

Further, I examined the certificates on the Exhibits #3003-A and #3003-B, signed by Hidemi YOSHIDA, dated 1 May 1947, in each of which certificate the following statement is made: "The data of the U.S. vessels and tonnage were taken from certified records of the U.S. Navy Department in Washington, D.C., I further certify the above chart is true and accurate." Mr. YOSHIDA further infers, in Exhibit 3003 and in testimony before this Tribunal (page 26,616) that the U.S. Navy data referred to in the foregoing certificates as used by him in preparing Exhibits 3003-A and 3003-B was taken from "a copy of an official document of the United States Navy Department pertaining to the vessels of the United States Navy..." Mr. YOSHIDA does not identify the "certified records of the U.S. Navy Department" nor the "official document of the United States Navy Department", respectively, which he mentions. However, because of the similarity of some figures, it is possible that he referred to Court Exhibit #3001 and #3002, respectively. Mr. YOSHIDA also has prepared a certificate showing the meanings of technical terms as used by him in presenting the U.S. Navy data in Exhibits 3003-A and 3003-B. This certificate, dated 26 September 1947, is attached hereto.

The certificates of Mr. YOSHIDA as attached to his "Comparative Tables", Exhibits 3003-A and 3003-B, are not accurate in stating that he is presenting records of the U.S. Navy Department, because he presents the U.S. Navy data under headings and classifications which are shown by the exhibits and by his statements to be different from the headings and classifications of the U.S. Navy data, as used and furnished in said Exhibits 3001 and 3002.

The terms used by Mr. YOSHIDA with a meaning different from the meaning in which those terms were used by Mr. Ray include the following: "On Hand", "Under Construction" and "Miscellaneous". The definitions of those terms, as used by the United States Navy Department and as used by Mr. Ray, in preparing Exhibits 3001 and 3002 are as follows:

ON HAND: "Vessels "On Hand" were considered those vessels accepted by the Navy as complete from the building or conversion yard but not lost, sold, destroyed, etc., or otherwise disposed of. This included some vessels which had not been fitted out or reported for Fleet duty. Also included were District and Service Craft not intended for Fleet duty."

UNDER CONSTRUCTION: "Vessels "Under Construction" were considered those vessels for which the Navy Department had placed a formal contract or made obligations concerning construction or procurement but which vessels had not been accepted by the Navy Department. This includes vessels under contract not yet delivered to the Navy as well as vessels on which negotiations had been completed and contract or award was under preparation. Vessels are usually accepted by the Navy after completion of basic construction or conversion and installation of Government furnished material (machinery and ordnance) but before outfitting and reporting for Fleet duty. Also included were District and Service Craft not intended for Fleet duty."

MISCELLANEOUS: "Miscellaneous vessels included all craft not classified as combatant ships or as small boats."

The definitions of those same terms, as used by the Japanese Navy, as stated in the certificate of Captain YOSHIDA, dated 26 September 1947, are:

ON HAND: "Means that such ships had been completed, and delivered and entered in the Naval Registry, and were generally ready for operational service in the Japanese Navy on or before the dates specified. In practically all cases ships, "ON HAND" on 7 December 1941 had already been commissioned."

UNDER CONSTRUCTION: "Means, in the case of new vessels, that the keels had been laid, and in the case of converted vessels, that the conversion had been commenced on or before the specified dates, that is to say, that reconstruction or re-equipment had commenced."

MISCELLANEOUS: "Included all ships listed in the Naval Registry, with the exception of capital ships, aircraft carriers, cruisers, destroyers and submarines. On 7 December 1941, the Japanese Navy's category "MISCELLANEOUS" consisted of the following types of ships: Sea-plane tenders, submarine tenders, mine layers, mine sweepers, coast defense ships, torpedo boats, gun boats, subchasers, patrol boats, cable layers, and special service ships, namely, training ships, cargo ships, Navy tankers, ice breakers, target ships, repair ships, and provision ships."

Exhibits 3001 and 3002 showed the status of the ships of the U.S. Navy as of 7 December 1941 under the U.S. Navy Department definitions as given above.

Additional tables, marked "Table A", "Table B" and "Table C", respectively certified to by the said Mr. Albert B. Ray, under date of 11 December 1941, show the status of the ships of the U.S. Navy as of 7 December 1941, under the Japanese Navy definitions. These said tables, "A", "B" and "C", also make a graphic comparison between the two navies, that of the United States and that of Japan, using the Japanese Navy definitions throughout. It will be noted that these said tables used the terms, definitions and classifications as stated by Mr. YOSHIDA and applied them to the U.S. Navy Department figures as prepared by the U.S. Navy, Office of Naval Intelligence.

In said Table A, entitled "Comparative Table of Naval Vessels (On Hand) Between the U.S.A. and Japan as of 7 December 1941", Japanese totals were merely copied by Mr. Ray without change from Exhibit 3003-A. The U.S. totals, however, were changed by him as required when using the term "On Hand" with the same meaning as that used by Mr. YOSHIDA in his determination of the Japanese totals. The resulting changes are as follows:

(1) Battleships, changed from 17 to 15 because 2 battleships which had been included in the totals in Exhibits 3001 and 3002, as "Completed" and "Commissioned" under the U.S. Navy practice, were not yet "Ready for Operational Service" on 7 December 1941, and they had not yet been assigned to any U.S. Fleet as an "operating unit" thereof.

(2) Aircraft carriers, changed from 8 to 6, because only 6 U.S. carriers were "On Hand" in the same sense as the Japanese carriers were classed "On Hand", namely "Completed" and "Commissioned", "ready for operational service, equipped as required with guns, ammunition, planes and operating personnel . . . as an operating unit of the Fleet". (Quotations from YOSHIDA's certificate dated 26 September 1947, paragraphs 3 and 4). On 7 December 1941, the U.S. had only 6 carriers so completed and equipped and assigned to fleets. Those carriers were RANGER, YORKTOWN and WISP in the Atlantic Fleet, and SARATOGA, LEXINGTON and ENTERPRISE in the Pacific Fleet. Navy Document #99, from ONI Records, copy attached, states these totals and also points out that CV HORNET, although commissioned on 20 October 1941, did not have her air group embarked until 23 December 1941, (the day after the Japanese CV SHOHO was "Commissioned" (Exhibit 918) in the Japanese meaning of that term, namely, "ready for operational service, equipped as required with guns, ammunition, planes and operating personnel".

(Quotation from YOSHIDA's certificate, paragraph 4). The same Navy document states that the CVE LONG ISLAND was in commission "but is not classed as a combat carrier". Actually she was not a combat carrier but "was used throughout the war for transporting planes. Her air complement consisted of 6 VFs and 10 VSOs". For the foregoing reasons the CV HORNET and CVE LONG ISLAND are not included in said Table A but are included in Table C. Briefly, neither CV HORNET nor CVE LONG ISLAND had been, using the terms from YOSHIDA's certificate, "equipped as required with . . . planes and operating personnel" as combat carriers on or before 7 December 1941.

(3) The figures for heavy and light cruisers did not change.

(4) The figures for destroyers and submarines of the U.S. Navy were reduced where required by application of the same meaning as that used by Mr. YOSHIDA in his determination of the Japanese totals.

(5) "Miscellaneous" types of Japanese vessels were copied without change from YOSHIDA's table, Exhibit 3003-A. The term "Miscellaneous" as defined by YOSHIDA in his attached certificate, dated 26 September 1947, was applied to U.S. Naval vessels thereby changing the figures as indicated. Mr. YOSHIDA lists 17 types of Japanese ships falling into this category. Mr. Ray entered the totals for the U.S. ships of those types. It is observed that the Japanese Navy does not include under the term "Miscellaneous" any hospital ships, transports, district craft and other types which were included by Mr. Ray in Exhibit 3002 under the heading "Miscellaneous", which he used in a general, non-technical sense.

In said Table B, entitled "Comparative Table of Naval Vessels (On Hand) in Fleets in Pacific Area Between the U.S.A. and Japan as of 7 December 1941", the Japanese totals were merely copied by Mr. Ray without change from Exhibit 3003-A. The U.S. totals, however, have been computed by Mr. Ray from official U.S. Naval records of ships of the Pacific Fleet and Asiatic Fleet, as prepared by the Office of Naval Intelligence and from tonnage records in Mr. Ray's office in the Bureau of Ships, and applying the term "On Hand" in the same sense as that used by Mr. YOSHIDA in determining the Japanese totals.

In said Table C, entitled "Comparative Table of Naval Vessels Under Construction Between the U.S.A. and Japan as of 7 December 1941", the Japanese totals were merely copied by Mr. Ray without change from Exhibit 3003-B. The United States totals, however, were changed by him as required to conform to

U.S. Naval records hereinbefore referred to and the meaning of the term "Under Construction" used by Mr. YOSHIDA in determining the Japanese totals. The term "Under Construction" had been used by Mr. Ray in Exhibits 3001 and 3002 to cover the period from the date of the contract of the vessel to the date of its delivery. The term, according to Mr. YOSHIDA, was used by him in Exhibit 3003-B to cover the period from the date of laying the keel of a new vessel or the commencement of conversion (i.e., "reconstruction or re-equipment"), of a converted vessel until the vessel "had been completed and had been delivered by the builder to the Navy Minister through the Captain of the vessel".

In further reference to said Table C: Applying the Japanese use of the term "Under Construction" to the United States vessels, the following changes resulted:

- (1) Battleships; (no change) total 10, the number for which the keel had been laid before 7 December 1941 and which had not been "ready for operational service" before that date.
- (2) Aircraft Carriers; total 10, the number (new or not converted) for which the keel had been laid before 7 December 1941, but which had not been "ready for operational service" before that date, namely: CV HORNET, ESSEX, YORKTOWN, INTREPID, LEXINGTON, BUNKER HILL, INDEPENDENCE, PRINCETON, BELLEAU WOOD, and COWPENS.
- (3) The figure for large cruisers, heavy cruisers and light cruisers were reduced from 3, 8 and 31, respectively, as given in Exhibits 3001, 3002 and 3003-B to 0, 4 and 18, respectively, in said Table C as required by application of the same meaning as that used by Mr. YOSHIDA in his determination of the Japanese totals.
- (4) The figures for destroyers and submarines were also reduced from 206 and 96, respectively, as given in Exhibits 3001, 3002 and 3003-B, to 88 and 38, respectively, in said Table C as required by application of the same meaning as that used by Mr. YOSHIDA in his determination of the Japanese totals.

/s/ Herbert M. Hart
HERBERT M. HART

Subscribed and sworn to before me this 29th day of December 1947, at Washington, D.C.

Commander, USN /s/ Joseph O. Collins

(From ONI Records - Pacific Fleet and Atlantic Fleet Conf. notices, 1941. Log of USS HORNET, December, 1941)

UNITED STATES FLEET: CARRIERS AND AIR COMPLEMENTS AS OF 7 DECEMBER 1941

	<u>VSB</u>	<u>VIB</u>	<u>VF</u>	<u>VM</u>	<u>VSO</u>	<u>VJ</u>	<u>TOTALS</u>
<u>I. ATLANTIC FLEET</u>							
CV RANGER (Norfolk, Va.)	31	6	36	4	3	2	82
CV YORKTOWN (Atlantic Coast)	19	18	27	3	3	2	72
CV WASP (Atlantic Coast) (Same complement as CV Yorktown)	<u>19</u>	<u>18</u>	<u>27</u>	<u>3</u>	<u>3</u>	<u>2</u>	<u>72</u>
<u>TOTAL ATLANTIC FLEET</u>	<u>69</u>	<u>42</u>	<u>90</u>	<u>10</u>	<u>9</u>	<u>6</u>	<u>226</u>
<u>II. PACIFIC FLEET</u>							
CV SARATOGA (West Coast)	43	12	27	3	3	2	90
CV LEXINGTON (West of Pearl Harbor) (Same complement as CV Saratoga)	43	12	27	3	3	2	90
CV ENTERPRISE (West of Pearl Harbor)	<u>37</u>	<u>18</u>	<u>27</u>	<u>3</u>	<u>3</u>	<u>2</u>	<u>90</u>
<u>TOTAL PACIFIC FLEET</u>	<u>123</u>	<u>42</u>	<u>81</u>	<u>9</u>	<u>9</u>	<u>6</u>	<u>270</u>
<u>*TOTAL ATLANTIC and PACIFIC FLEETS</u>	<u>192</u>	<u>84</u>	<u>171</u>	<u>19</u>	<u>18</u>	<u>12</u>	<u>496</u>

*Notes: 1) CV HORNET (Norfolk, Va.) was commissioned on 20 October 1941. Her air group which had the same composition as that of CV YORKTOWN, however, was not embarked until 23 December.

2) CVE LONG ISLAND (Atlantic Coast) was in commission, but is not classed as a combat carrier. She was used throughout the war for transporting planes. Her air complement consisted of 6 VF and 10 VSO.